

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**JUANA CRUZ, OFELIA BENAVIDES,  
JOSE ELIAS N.G, GABRIELA  
VELAZQUEZ, RICARDO GONZALEZ,  
MELESIO CRUZ, ANGELICA CHAVEZ,  
CONCEPCION PEREZ, OLGA PEREZ,  
MAURICO SAENZ, JORGE MAULEON,  
HECTOR SANCHEZ, HECTOR  
GONZALEZ, YESSY PEREZ  
MARTINEZ, MARIA DE LOURDES  
CRUZ, RESENDO LIEVANOS,  
ELIZABETH LARA, LUIS ALBERTO  
ZUNIGA CASTILLO, MIGUEL  
CABALLERO SANCHEZ, GUILLERMO  
DE LA CRUZ MENDOZA, CARLOS  
DANIEL LOPEZ, GILDA RIVAS,  
ARMANDO MORALES DE LLANO,  
LAZARO GARCIA, MARIA DE JESUS  
MEDINA, RICHARD ESQUIVEL,  
PATRICIA CONDE-GONZALEZ,  
NORMA CONDE ALANIZ, RAFAEL  
SANCHEZ, GUILLERMO RUIZ, ROSA  
QUINTANILLA,**

**Plaintiffs,**

**v.**

**DELGAR FOODS, LLC D/B/A/ DELIA'S**

**Defendant.**

**CASE NO.: 7:23-CV-00343**

**JURY DEMANDED**

**JOINT STATUS REPORT REGARDING NUMBER OF DEPOSITIONS NEEDED**

Plaintiffs Juana Cruz, *et al.* (“Plaintiffs”) and Defendant Delgar Foods d/b/a Delia’s (“Delia’s” or “Defendant”) (collectively, the “Parties”) hereby submit this Joint Status Report pursuant to the Court’s March 8, 2024, Order [ECF 31] requesting that the parties advise the Court of the number of depositions needed.

Regarding the Number of Depositions Plaintiff Intends to Take, Plaintiffs State:

Plaintiffs anticipate taking the depositions of 11 defendants. The depositions of each defendant will be limited to a three hour examination from plaintiffs, and one hours examination from defendants. Thus, each deposition should last a maximum of four hours.

Regarding the Number of Depositions Defendant Intends to Take, Defendant States:

Defendant anticipates taking the deposition of at least 20 plaintiffs. The deposition of each plaintiff will be limited to a three (3) hour examination from Defendant, and one (1) hour examination from Plaintiff. Thus, each deposition should last a maximum of four (4) hours.

Defendant believes that it should have the opportunity to examine each plaintiff in the case, as this case is not a collective action. The declarations produced by plaintiffs were insufficient to provide necessary information to allow Defendant to properly defend against its case. The purported claims that Plaintiffs Norma Conde Alanis and Patricia Conde-Gonzalez brought against Defendant are time barred and Plaintiffs' counsel agreed that they will be dismissed. Further, Ricardo Gonzalo and Guillermo de la Cruz are named plaintiffs but are the same person as Richard Esquivel and Guillermo Ruiz. Plaintiffs' counsel has also agreed to dismiss the non-existent plaintiffs. Last, 7 plaintiffs were exempt employees who should also be dismissed from this case. Thus, Defendant anticipates taking the deposition of 20 plaintiffs.

Dated: May 3, 2024

Respectfully submitted,

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